

Appl. No. : 10/772,101
Filed : February 4, 2004

REMARKS

The present Amendment is responsive to the Examiner's Non-Final Office Action dated March 31, 2005. Applicants appreciate the Examiner pointing out the lack of antecedent basis in Claim 1 and indicating the allowability of Claims 5, 35, 37 and 45 if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicants also appreciate the Examiner indicating the allowability of Claim 16 if rewritten to overcome the rejection under 35 U.S.C. 112, 2nd paragraph and to include all of the limitations of the base claim and any intervening claims. Applicants disagree with the propriety of the outstanding prior art rejections. However, in view of the amendments made herein which moot the rejections and facilitate issuance of the allowable claims, Applicants have no occasion to comment on the merits of those rejections.

Amended Claims

In reliance upon this indication, Applicants have amended Claim 1 to incorporate the subject matter of Claim 5. Applicants have further amended Claim 1 to correct the insufficient antecedent basis for recited limitations "the base" and "the commissure points". Claims 5 through 11 have been cancelled. Applicants have also amended Claim 16 to change its dependency and thereby correct the insufficient antecedent basis for recited limitation "the single length of wire".

Claims 2-4 and 12-16 depend either directly or indirectly from Claim 1. Claims 2-4 and 12-16 are each patentable for at least the reasons that Claim 1 is patentable, and are also patentable for the unique combination of features that each claim recites.

In further reliance upon the Examiner's indication, Applicants have also amended Claim 31 to incorporate the subject matter of Claim 35 and intervening Claim 34. Claims 34 and 35 have been cancelled. Claim 36 has been amended to change its dependency following cancellation of Claim 34.

Claims 32-33 and 36-45 depend either directly or indirectly from Claim 31. Claims 32-33 and 36-45 are each patentable for at least the reasons that Claim 31 is patentable, and are also patentable for the unique combination of features that each claim recites.

Claim 75 has been cancelled without prejudice.

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Claims 17-30, 46-74 and 76-78 are directed to nonelected species and have been cancelled without prejudice. Applicants may pursue the same or similar claims in this or related patent applications.

New Claims

In reliance upon the Examiner's indication, Applicants have added new Claims 79-110.

Claim 79 is essentially Claim 16 in independent form, including its base Claim 1 and intervening Claim 14, and after correcting the insufficient antecedent basis in the original Claim 16. Claims 80-91 depend from new Claim 79 and reflect the remaining subject matter of the dependent claims of base Claim 1. Claims 80-91 are each patentable for at least the reasons that Claim 79 is patentable, and are also patentable for the unique combination of features that each claim recites.

Claim 92 is essentially Claim 37 in independent form, including its base Claim 31 and intervening Claims 34 and 36. Claims 93-97 depend from new Claim 92 and reflect the remaining subject matter of the dependent claims of base Claim 31. Claims 93-97 are each patentable for at least the reasons that Claim 92 is patentable, and are also patentable for the unique combination of features that each claim recites.

Claim 98 is essentially Claim 45 in independent form, including its base Claim 31. Claims 99-110 depend from new Claim 98 and reflect the remaining subject matter of the dependent claims of base Claim 31. Claims 99-110 are each patentable for at least the reasons that Claim 98 is patentable, and are also patentable for the unique combination of features that each claim recites.

Accordingly, Claims 1-4, 12-16, 31-33, 36-45 and 79-110 are pending for consideration. In accordance with the Examiner's comments, Applicants believe that the present Amendments have placed this application in a condition for allowance. No new matter has been added.

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CONCLUSION

Based upon the foregoing amendments and remarks, Applicants believe pending Claims 1-4, 12-16, 31-33, 36-45 and 79-110 are in condition for allowance and respectfully request an indication of the same.

Applicants have endeavored to respond to each of the issues raised by the Examiner. However, if there remain any unresolved issues that could be resolved via a telephone conference, Applicants invite the Examiner to initiate the same with Applicants' representative at the telephone number shown below. Please charge any additional fees, including any fees for any extensions of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: _____

5/11/06

By: _____



Walter S. Wu
Registration No. 50,816
Attorney of Record
Customer No. 20,995
(949) 760-0404

AMEND

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